

Rochester Joint Schools Construction Board
Minutes
April 7, 2014
4:30 PM

Present

Chair Tom Richards, Charles Benincasa, Joe Brown, José Coronas, Aaron Hilger, Christopher Thomas, and ICO Brian Sanvidge. Also present were: General Counsel Peter Abdella and Brian Feldman, Program Director Tom Rog r from Gilbane and Pepin Accilien and Alexandra Fleischer from Savin.

Chair Richards convened the meeting at 4:38pm

Chair Richards opened the meeting asking for comments from the public. There were none.

Approval of Minutes:

Monthly Meeting held on March 3, 2014

Motion by Member Coronas

Second by Member Thomas

Approved 6-0 with Vice Chair Brown away

Special Meeting held on March 24, 2014

Motion by Member Thomas

Second by Member Coronas

Approved 6-0 with Vice Chair Brown away

RJSCB Officer Election:

RJSCB Treasurer

Motion to nominate Charles Benincasa as Treasurer made by Chair Richards

Second by Member Thomas

Call for vote: 6 votes for Charles Benincasa

Receiving a majority of the votes, Charles Benincasa is elected the Treasurer of the RJSCB

Action Items

Resolution 2013-14: 228

Amendment #2 to The Pike Company (CM – Schools 5 and 12)

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB selected The Pike Company (“Construction Manager”) to provide Construction Management services for the School 5 and School 12 projects in September of 2012 as a part of Phase 1b of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2012-13: 36) and the

parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the "Agreement"); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services and the Program Manager has received and reviewed proposals for this additional work provided by the Construction Manager; and

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the Not to Exceed amount of \$157,463 for the additional scopes of work in support of the School 12 project; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and The Construction Manager dated September 10, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 229
Amendment #10 to Chaintreuil Jensen Stark Architects, LLP Agreement (Charlotte HS)**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the selection of Chaintreuil Jensen Stark Architects, LLP ("CJS") as the Architect for the Charlotte High School project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with CJS (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, following the execution of the Agreement, CJS, along with the Program Manager, identified the need for additional scopes of design work and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that CJS's Agreement should be amended to add these additional scope items in the total amount of \$15,655 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects Agreement Between Board and Architect dated March 28, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 230
School 5 Masonry Restoration Bid**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP"); and

WHEREAS, the original bid documents for the School 5 project in Phase 1b of the RSMP included a masonry restoration alternate for work on all sides of the building and this work was identified in the bid documents as Alternate 5 - Exterior Masonry Restoration ("Alternate 5"); and

WHEREAS, at the time of award, Alternate 5 was not accepted by the RJSCB as a part of the original contract due to School 5 budget constraints; and

WHEREAS, the School 5 project is now approximately 60% complete and the project contingency is projected to come in favorable, allowing the District to consider additional work that was not included in the original base scope of work; and

WHEREAS, the District has expressed a desire to add the masonry restoration work to the scope of the project, to the extent that the project can now afford some of all of the work contemplated in the original bid Alternate 5; and

WHEREAS, the Program Manager and the Construction Manager, The Pike Company, have evaluated the scope of work and the overall project schedule and have determined that the overall project schedule will not be negatively impacted by bidding this work, nor should there be any significant coordination issues between the existing contractor's scope of work and the masonry restoration work; and

WHEREAS, the Program Manager has directed Young & Wright Architectural, the School 5 architect of record, to prepare bid documents for the School 5 masonry restoration project; and

WHEREAS, Young & Wright Architectural and The Pike Company are in the process of preparing a list of specifications, front end documents, general conditions, and requirements for the School 5 masonry restoration project; and

WHEREAS, Young & Wright Architectural will also work with the Board's general counsel to prepare the bid documents for the masonry restoration project; and

WHEREAS, at its April 2, 2014 meeting, the MWBE and Services Procurement Committee ("Committee") considered and approved the issuance of the masonry restoration request for bids associated with the School 5 project;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of the masonry restoration bid package for the School 5 project; and
2. Also, prior to issuance, the Program Manager will work with the RJSCB's general counsel to further develop and finalize the masonry restoration bid package, including the general conditions of the contract; and
3. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses for this project and recommend to the RJSCB the lowest responsible bidder.

**Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 231
Small Appliance Bid for Phase 1b Schools**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP"); and

WHEREAS, the Program Manager directed Vargas Associates, the RJSCB's Move Manager, to prepare a small appliance request for bids for the Phase 1b projects (School 5, School 28, School 58, and Edison Technology Campus); and

WHEREAS, Vargas Associates worked with the Architects and the Construction Managers for each school and subsequently prepared a list of specifications and requirements for those small appliances that had not been purchased through the general contract scope of work for each project; and

WHEREAS, Vargas Associates then contacted the New York State Office of General Services ("OGS") to verify if a State contract for small appliances was available, and the OGS responded that no State contract for small appliances is currently in place; and

WHEREAS, Vargas Associates worked with the Executive Director and the Board's general counsel to prepare request for bid documents for the small appliance bid; and

WHEREAS, at its April 2, 2014 meeting, the MWBE and Services Procurement Committee ("Committee") considered and approved the issuance of the small appliance request for bids for the 1b projects;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Move Manager, shall proceed with the issuance of a small appliance bid package; and
2. Also, prior to issuance, the Move Manager will work with the RJSCB's general counsel to further develop and finalize the small appliance bid package, including the general conditions of the contract and the purchase order forms; and
3. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager and the Move Manager, is authorized on behalf of the RJSCB to review the bid responses for this project and recommend to the RJSCB the lowest responsible bidder(s).

**Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 232
School 5 Auditorium Seating Bid**

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP"); and

WHEREAS, the Program Manager directed Vargas Associates, the RJSCB's Move Manager, to prepare an auditorium seating request for bids for the School 5 project in Phase 1b of the RSMP; and

WHEREAS, Vargas Associates worked with the School 5 architect, Young & Wright Architectural, and subsequently prepared a list of specifications and requirements for the auditorium seating; and

WHEREAS, Vargas Associates worked with the Executive Director and the Board's general counsel to prepare request for bid documents for the auditorium seating bid; and

WHEREAS, at its April 2, 2014 meeting, the MWBE and Services Procurement Committee ("Committee") considered and approved the issuance of the auditorium seating request for bids for the School 5 project;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Move Manager, shall proceed with the issuance of an auditorium seating bid package for the School 5 project; and

2. Also, prior to issuance, the Move Manager will work with the RJSCB's general counsel to further develop and finalize the auditorium seating bid package, including the general conditions of the contract and the purchase order forms; and
3. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager and the Move Manager, is authorized on behalf of the RJSCB to review the bid responses for this project and recommend to the RJSCB the lowest responsible bidder.

**Second by Board Member Coronas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 233
Supplemental FF&E Purchase Orders – 1B projects**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB's Program Manager, with the advice of Vargas Associates (the "Move Manager"), the RJSCB's general counsel, and the RJSCB's Independent Compliance Officer, prepared a request for bids ("Request for Bids") package for Furniture, Fixtures, and Equipment ("FF&E") (Resolution 2012-13: 124); and

WHEREAS the Request for Bids included FF&E items categorized into eleven primary groups and several non-grouped items; and

WHEREAS, the RJSCB awarded the following groups to FM Resources: Group 4 – Conference Furniture, Group 5 – Desks, Group 6 – Lounge Furniture, Group 9 – Storage, and Group 11 Task Seating (Resolution 2012-2013: 162); and

WHEREAS, the RJSCB awarded the following groups to School Specialty, Inc.: Group 1 – Activity Tables, Group 2 – Art Room, and non-grouped items: Carpet (solid), Cubby Units, Sand and Water Table, Computer Tables, First Aid Couch, Metal Shelving, and Podium (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Facilities Equipment and Service, Inc.: Group 3 – Cafeteria Tables and Group 7 – Library Furniture (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Hertz Furniture: Group 8 – Music Furniture, Group 10 – Student Furniture, and non-grouped items: Carpet (elementary)(Resolution 2012-2013: 166); and

WHEREAS, the original bid documents stipulated that the awarded firms would hold their pricing for the remainder of 2013; and

WHEREAS, the RJSCB authorized a bulk FF&E purchase at the end of 2013 (Resolution 2013-14: 138) at the discounted rates achieved in the prior bid, for the next group of projects in Phase 1b of the RSMP (School 5, School 28, School 58, and Edison Technology Campus); and

WHEREAS, subsequent to the bulk purchase in December 2013, the Move Manager determined that additional furniture could still be purchased within the existing budget as a result of significant bid day savings; and

WHEREAS, the pricing received from each firm on bid day will be used again when placing orders for these additional FF&E items except with a markup per the bid form price sheet in the Request for Bids; and

WHEREAS, following the initial purchase orders for the bulk of the furniture, the Move Manager along with the Program Manager and the architect for each project, performed a detailed review of each school's needs and were able to determine that all new furniture could be purchased for each project within the existing budget; and

WHEREAS, in addition to the additional FF&E items, the Move Manager obtained proposals for unique and/or special furniture items for specific schools which will be included in these supplemental purchase orders and these specialty items being purchased are: desks and chairs, computer tables, student chairs, pre-school furniture, science tables, activity tables, stools, folding tables, lounge furniture, bookshelves, storage cabinets; and

WHEREAS, at its April 2, 2014 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Move Manager and the Program Manager to make the additional FF&E purchases and approved the additional FF&E purchase orders to the firms as set forth in the table below:

SUMMARY of SUPPLEMENTAL FURNITURE PURCHASE

Firm	Total Award
School Specialty, Inc.	\$4,123.78
Hertz Furniture	\$8,572.29
Facilities Equipment & Services Inc.	\$7,080.00
FM Office Supply	\$28,607.84
Sedgwick Business Interiors	\$3,633.48
Quality Office Environments	\$6,242.30

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to the above named firms, in the amount specified to provide the necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use) for the next group of projects in Phase 1b of the RSMP (School 5, School 28, School 58 and Edison Technology Campus); and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firms named above, in substantially the form included in the Request for Bids for the Furniture, Fixtures, and Equipment with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away

**Resolution 2013-14: 234
Moving Company Awards – Summer 2014 Moves**

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, Vargas Associates (the “Move Management Consultant”), with the advice of the RJSCB’s Executive Director and its general counsel, prepared a request for bids (“Request for Bids”) package for furniture and equipment moves including School 28, School 5, School 12, School 58, East High School, Edison Technology Campus and the RSMP warehouse in the summer of 2014; and

WHEREAS, the RJSCB previously had authorized the release of the Request for Bids at its monthly meeting on March 3, 2014 (Resolution 2013-14: 206); and

WHEREAS, under the Request for Bids and pursuant to RJSCB’s March 3, 2014 resolution (Resolution 2013-14: 206), the Move Management Consultant separated the proposed school moves into five groups: Group 1 was for School 28, Group 2 was for School 5 and School 12, Group 3 was East High School and the RSMP warehouse, Group 4 was for Edison Technology Campus, and Group 5 was for School 58; and

WHEREAS, the RJSCB’s Executive Director received bids on March 28, 2014 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the RJSCB’s Program Manager and the Move Management Consultant have reviewed the bids, conducted de-scoping meetings and made assessments on the sufficiency of staffing for the moves, and concluded that the apparent low bidders for each scope of work package are also qualified and responsible bidders; and

WHEREAS, at its April 2, 2014 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Program Manager and Move Manager and following due deliberation, approved them, and are as follows:

<u>Scope of Work</u>	<u>Name of Mover</u>	<u>Address</u>	<u>Award Amount</u>
<u>Group 1</u> School 28	Corrigan Moving Systems	150 Jarley Road Rochester, NY 14623	\$50,222.00
<u>Group 2</u> School 5 and School 12	Clark Moving and Storage	3680 Buffalo Road Rochester, NY 14624	\$132,480.00
<u>Group 3</u> East HS and RSMP Warehouse	FM Office Express	106 Despatch Drive East Rochester, NY 14445	\$98,294.00

<u>Group 4</u> Edison Technology Campus	Corrigan Moving Systems	150 Jarley Road Rochester, NY 14623	\$135,648.00
<u>Group 5</u> School 58	Clark Moving and Storage	3680 Buffalo Road Rochester, NY 14624	\$59,316.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant that contract awards shall be made to the above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the furniture and equipment moves for School 28 (Group 1), School 5 and School 12 (Group 2), East High School and the RSMP Warehouse (Group 3), Edison Technology Campus (Group 4), and School 58 (Group 5) as a part of Phase 1 of the RSMP; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a Purchase Order to each firm named above in substantially the form included in the Request for Bids (dated March 4, 2014) with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Hilger
Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 235
Change Order #15 through #21 to LeChase Construction – General Contractor (School 5)

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to LeChase Construction Services LLC ("LeChase") for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with LeChase (Resolution 2012-13: 177) dated June 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, LeChase, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #15 includes the following items:

1. Classroom mortise locks for the amount of \$6,321
- The Total amount of Change Order #15 is \$6,321; and

WHEREAS, Change Order #16 includes the following items:

1. Additional wall demo for the amount of \$15,040
 2. New door and frame for the amount of \$198
 3. Additional demo and patching for the amount of \$7,859
- The Total amount of Change Order #16 is \$23,097; and

WHEREAS, Change Order #17 includes the following items:

1. Repairs and new walls on the 1st floor for the amount of \$61,275
- The Total amount of Change Order #17 is \$61,275; and

WHEREAS, Change Order #18 includes the following items:

1. Wall covering finish changes for the amount of \$20,321
- The Total amount of Change Order #18 is \$20,321; and

WHEREAS, Change Order #19 includes the following items:

1. 3rd floor ceiling changes for the amount of \$9,794
- The Total amount of Change Order #19 is \$9,794; and

WHEREAS, Change Order #20 includes the following items:

1. Stage ceiling and floor demo for the amount of \$5,836
 2. 1st floor ceiling changes for the amount of \$10,495
- The Total amount of Change Order #20 is \$16,331; and

WHEREAS, Change Order #21 includes the following items:

1. Changes to wall for the amount of \$5,622
 2. Millwork changes for the amount of \$6,509
 3. Shaft walls and Soffits for the amount of \$2,054
- The Total amount of Change Order #21 is \$14,185; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that LeChase's Contract should be amended to add these additional scope items in the amount of \$151,324; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to LeChase Construction Services LLC's Contract between the Board and Contractor dated May 6, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Hilger
Approved 6-0 with Vice Chair Brown away**

Resolution 2013-14: 236

Change Order #2 and #3 to Kaplan Schmidt – Electrical Contractor (School 5)

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Kaplan Schmidt for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2012-13: 177) dated June 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Kaplan Schmidt, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #2 includes the following item:

1. Fire alarm heat heads for the amount of \$8,498

The Total amount of Change Order #2 is \$8,498; and

WHEREAS, Change Order #3 includes the following item:

1. Electrical changes due to ceiling revisions for the amount of \$916.60

The Total amount of Change Order #3 is \$916.60; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Kaplan Schmidt’s Contract should be amended to add these additional scope items in the total amount of \$9,414.60; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Kaplan Schmidt’s Contract between the Board and Contractor dated May 6, 2013 as set forth above are hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Hilger

Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 237

Change Order #7 to Thurston Dudek – Plumbing Contractor (School 5)

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to Thurston Dudek for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2012-13: 177) dated June 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the plumbing contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Thurston Dudek, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #7 includes the following item:

1. Floor patching for the amount of \$4,600.20

The Total amount of Change Order #7 is \$4,600.20; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Thurston Dudek’s Contract should be amended to add these additional scope items in the total amount of \$4,600.20; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Thurston Dudek’s Contract between the Board and Contractor dated May 6, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Thomas

Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 238

Change Orders #40 through #45 to Manning Squires Hennig Co., Inc. – General Contractor (School 17)

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. (“Manning Squires”) for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2012-13: 14) dated July 2, 2012 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #40 includes the following items:

1. Remove louvers and infill for the amount of \$3,017
2. Floor leveling for the amount of \$2,128
3. Stair flooring for the amount of \$12,412
4. Plaster Ceiling for the amount of \$7,331

The Total amount for Change Order #40 is \$24,888; and

WHEREAS, Change Order #41 includes the following items:

1. Wall openings for the amount of \$41,441

The Total amount for Change Order #41 is \$41,441; and

WHEREAS, Change Order #42 includes the following items:

1. Exterior colors for the amount of \$4,136
2. Wood handrail refinishing for the amount of \$9,000
3. Flooring changes for the amount of \$2,500
4. Landscaping revisions for the amount of \$7,736

The Total amount for Change Order #42 is \$23,372; and

WHEREAS, Change Order #43 includes the following items:

1. Sitework and sidewalk revisions for the amount of \$10,000
2. Louver opening for the amount of \$2,318
3. Reframing for the amount of \$1,537
4. Ceramic tile at lobby for the amount of \$3,294

The Total amount for Change Order #43 is \$17,149; and

WHEREAS, Change Order #44 includes the following items:

1. Repair existing walls in classrooms for the amount of \$16,800

The Total amount for Change Order #44 is \$16,800; and

WHEREAS, Change Order #45 includes the following items:

1. Remobilize fencing contractor for the amount of \$1,071
- The Total amount for Change Order #45 is \$1,071; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Manning Squires' Contract should be amended to add these scope items for the total amount of \$124,721; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig Co., Inc.'s Contract between the Board and Contractor dated July 2, 2012 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 239
Change Order #14 to Testa Construction Inc. General Contractor (School 17 - Clinic)**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Testa Construction Inc. ("Testa") for the School 17 Clinic project in Phase I (Resolution 2012-13: 51); and

WHEREAS, the RJSCB entered into a contract with Testa (Resolution 2012-13: 51) dated October 15, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Testa, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #14 includes the following item:

1. Break metal work for the amount of \$231.32
The Total amount of Change Order #14 is \$231.32; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Testa's Contract should be amended to add these scope items in the amount of \$231.32; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Testa Construction Inc.'s Contract between the Board and Contractor dated October 15, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 240
Change Order #8 through #12, #14, and #15 to Manning Squires Hennig – (GC - School 28)**

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 106) dated February 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work,

and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #8 includes the following item:

1. Change the Trustee in the contract documents to US Bank National Association for the amount of \$0
The Total amount of Change Order #8 is \$0; and

WHEREAS, Change Order #9 includes the following item:

1. Credit for abatement work not necessary in the amount of -\$25,090
The Total amount of Change Order #9 is a credit of -\$25,090; and

WHEREAS, Change Order #10 includes the following item:

1. Changes to steel at stair tower for the amount of \$4,391.54
The Total amount of Change Order #10 is \$4,391.54; and

WHEREAS, Change Order #11 includes the following item:

1. Delete metal detectors for a credit in the amount of -\$522
The Total amount of Change Order #11 is a credit of -\$522; and

WHEREAS, Change Order #12 includes the following item:

1. Additional support steel and clip at windows in the amount of \$14,945.93
The Total amount of Change Order #12 is \$14,945.93; and

WHEREAS, Change Order #14 includes the following item:

1. Additional angle clips to support precast in the amount of \$37,109.47
The Total amount of Change Order #14 is \$37,109.47; and

WHEREAS, Change Order #15 includes the following item:

1. Changes to wall tile, revise kitchen flooring, and change in terrazzo materials for the amount of \$25,838

The Total amount of Change Order #15 is \$25,838; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Manning Squires's Contract should be amended to delete and add these additional scope items in the total amount of \$56,672.94; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires's Contract as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 241
Change Order #6 to Kaplan Schmidt – (Electrical - School 28)**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Kaplan Schmidt Electric Inc. (“Kaplan Schmidt”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Kaplan Schmidt (Resolution 2012-13: 106) dated February 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Kaplan Schmidt, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #6 includes the following item:
1. Add outlets at the main lobby for the amount of \$1,760.58
The Total amount of Change Order #6 is \$1,760.58; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Kaplan Schmidt’s Contract should be amended to add these additional scope items in the total amount of \$1,760.58; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt’s Contract as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Coronas

Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 242

Change Order #5 to Bell Mechanical – (Mechanical - School 28)

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to Bell Mechanical Contractor Inc. (“Bell Mechanical”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Bell Mechanical (Resolution 2012-13: 106) dated February 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the mechanical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Bell Mechanical, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #5 includes the following item:

1. Rerouting plumbing lines, add dryer vent, and relocate exhaust ductwork for the amount of \$11,251.39. The Total amount of Change Order #5 is \$11,251.39; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Bell Mechanical’s Contract should be amended to add these additional scope items in the total amount of \$11,251.39; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Bell Mechanical Contractor’s Contract as set forth above is hereby approved; and

2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 243
Change Order #49 to Manning Squires Hennig Co., Inc. – General Contractor (School 50)**

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. (“Manning Squires”) for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2011-12: 101) dated June 4, 2012 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #49 includes the following item:

1. Provide a new catch basin and piping for the amount of \$24,920
The total amount of Change Order #49 is \$24,920; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the “Committee”) that Manning Squires' Contract should be amended to add these additional scope items in the total amount of \$24,920; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig Co., Inc.'s Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and

2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 244
Change Order #14 through #18 to Manning Squires Hennig – School 58

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 58 project in Phase I (Resolution 2012-13: 35); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 35) dated September 10, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #14 includes the following items:

1. Change Trustee in the Contract Documents to US Bank National Association for \$0
The Total amount of Change Order #14 is \$0; and

WHEREAS, Change Order #15 includes the following items:

1. Changes to the roofing system for a credit in the amount of -\$18,240
The Total amount of Change Order #15 is a credit of -\$18,240; and

WHEREAS, Change Order #16 includes the following items:

1. Increase temporary heat fuel allowance for \$90,000 to cover the remainder of the project
The Total amount of Change Order #16 is \$90,000; and

WHEREAS, Change Order #17 includes the following items:

1. Repair existing wood floors for the amount of \$264,232
The Total amount of Change Order #17 is \$264,232; and

WHEREAS, Change Order #18 includes the following items:

1. Skylight infill repair work for the amount of \$180,000
The Total amount of Change Order #18 is \$180,000; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Manning Squire's Contract should be amended to delete and add these additional scope items in the total amount of \$515,992; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the Change Order request for these additional services;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig's Contract between the Board and Contractor dated September 10, 2012 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 245
Change Order #12 and #13 to MA Ferrauilo – School 58**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to M.A. Ferrauilo Heating and Plumbing, Inc. ("M.A. Ferrauilo") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with M.A. Ferrauilo (Resolution 2012-13: 120) dated March 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the plumbing contractor's scope of work; and

WHEREAS, following the execution of the Contract, M.A. Ferrauilo, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and

cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #12 includes the following item:

1. Revisions to kitchen for the amount of \$6,044
- The Total amount of Change Order #12 is \$6,044; and

WHEREAS, Change Order #13 includes the following item:

1. Changes to gallery area for the amount of \$1,311
- The Total amount of Change Order #13 is \$1,311; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$7,355; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferraiulo's Contract between the Board and Contractor dated March 4, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Coronas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 246
Change Order #3 to Leo J. Roth – (Mechanical - School 58)**

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to Leo J. Roth Corporation ("Leo J. Roth") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Leo J. Roth (Resolution 2012-13: 120) dated March 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, following the execution of the Contract, Leo J. Roth, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #3 includes the following item:

1. Repair work associated with deteriorated columns for the amount of \$9,556
The Total amount of Change Order #3 is \$9,556; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Leo J. Roth's Contract should be amended to add these additional scope items in the total amount of \$9,556; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Leo J. Roth's Contract between the Board and Contractor dated March 4, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Coronas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 247
Change Order #7 and #8 to The Pike Company – General Contractor (East High School)**

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to The Pike Company ("Pike") for the East High School project in Phase I (Resolution 2012-13: 147); and

WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 147) dated April 1, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Pike, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #7 includes the following items:

1. Change roller shades openness factor for the amount of \$8,306
- The Total amount for Change Order #7 is \$8,306; and

WHEREAS, Change Order #8 includes the following items:

1. Infill window gaps at glazed block for the amount of \$15,476
2. Add lintels for curtain wall system for the amount of \$1,919
3. Add flashing at base of curtain wall system for the amount of \$18,516
4. Remove door access controls at main entrance for the amount of \$2,084
5. Replace slab at kitchen area for the amount of \$3,174
6. Changes to windows at nurses suite for the amount of \$5,385
7. Remove existing planter for the amount of \$951
8. Delete field office cleaning of CM trailer for a credit of -\$6,613
9. Reset glazed block for the amount of \$3,022
10. Remove electrical disconnect at D-wing for the amount of \$800

The Total amount for Change Order #8 is \$44,714; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Pike's Contract should be amended to delete and add these scope items in the amount of \$53,020; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated April 1, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Hilger
Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 248

Change Order #1 to DiFiore Construction Inc. – General Contractor (East High School – Athletic Field)

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to DiFiore Construction Inc. (“DiFiore”) for the East High School Athletic Field project in Phase I (Resolution 2013-14: 163); and

WHEREAS, the RJSCB entered into a contract with DiFiore (Resolution 2013-14: 163) dated January 13, 2014 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, DiFiore, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

1. Remove all excess topsoil from the site in lieu of spreading, grading, and seeding, on site for \$0
- The Total amount for Change Order #1 is \$0; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that DiFiore’s Contract should be amended to delete and add these scope items in the amount of \$0; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to DiFiore Construction Inc.’s Contract between the Board and Contractor dated January 13, 2014 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Coronas

Approved 6-0 with Vice Chair Brown away

Resolution 2012-13: 249

Change Order #8 to Kaplan Schmidt – Electrical Contractor (Franklin High School)

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the Electrical Contractor contract to Kaplan-Schmidt Electric (“Kaplan Schmidt”) for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2011-12: 106) dated June 4, 2012 (the “Contract”), to perform the scope of services defined in the contract documents as the Electrical Contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Kaplan Schmidt, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #8 includes the following item:

1. Temporary feed to the kitchen panel for the amount of \$980
2. Relocate intercom and card swipe for the amount of \$1,486

The Total amount of Change Order #8 is \$2,466; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Kaplan Schmidt’s Contract should be amended to add these additional scope items in the total amount of \$2,466; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt’s Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Hilger

Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 250

Change Order #1 to Steve General Contractor Inc. – General Contractor (Franklin High School - Auditorium)

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the General Contractor contract to Steve General Contractor Inc., (“Steve General”) for the Franklin High School Auditorium Project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with Steve General (Resolution 2013-14: 128) dated November 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the General Contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Steve General, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Remove steel beams for the amount of \$7,652

The Total amount of Change Order #1 is \$7,652; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Steve General’s Contract should be amended to add these additional scope items in the total amount of \$7,652; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Steve General Contractor Inc.’s Contract between the Board and Contractor dated November 4, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Hilger

Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 251

Change Order #1 to Kaplan Schmidt – Electrical Contractor (Franklin High School - Auditorium)

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the Electrical Contractor contract to Kaplan Schmidt Electric (“Kaplan Schmidt”) for the Franklin High School Auditorium Project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2013-14: 128) dated November 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the Electrical Contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Kaplan Schmidt, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Remove and replace existing fire alarms for the amount of \$1,460
2. Relocate conduit for the amount of \$1,818

The Total amount of Change Order #1 is \$3,278; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Kaplan Schmidt’s Contract should be amended to add these additional scope items in the total amount of \$3,278; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt Electric’s Contract between the Board and Contractor dated November 4, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Hilger

Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 252

Change Order #1 to M.A. Ferrauilo – Mechanical Contractor (Franklin High School - Auditorium)

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the Mechanical Contractor contract to Michael A. Ferrauilo Plumbing and Heating Inc., (“M.A. Ferrauilo”) for the Franklin High School Auditorium Project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2013-14: 128) dated November 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the Mechanical Contractor’s scope of work; and

WHEREAS, following the execution of the Contract, M.A. Ferrauilo, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Remove and replace 13 existing radiators with convectors for the amount of \$18,528
2. Replace existing valves for the amount of \$13,878

The Total amount of Change Order #1 is \$32,406; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that M.A. Ferrauilo’s Contract should be amended to add these additional scope items in the total amount of \$32,406; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferrauilo’s Contract between the Board and Contractor dated November 4, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 253

Change Order #4 and #5 to The Pike Company – General Contractor (Edison Technology Campus)

By Board Member Thomas

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to The Pike Company (“Pike”) for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 194) dated June 10, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Pike, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #4 includes the following items:

1. Relocations for column work for the amount of \$1,671
2. Additional concrete removals for the amount of \$2,538
3. Elevator repairs and upgrades for the amount of \$23,580
4. Door hardware revisions for the amount of \$6,420
5. Change to clear anodized aluminum storefront for a credit in the amount of -\$2,243
6. Changes to waffle slab in the basement area for a credit in the amount of -\$186,845
7. Provide grilles at casework for the amount of \$2,660
8. Upgrade kitchen floor for the amount of \$8,190

The Total amount for Change Order #4 is a credit of -\$144,029; and

WHEREAS, Change Order #5 includes the following items:

1. Revise parking lot grades for the amount of \$10,729
2. Provide hose bib at plaza for the amount of \$836
3. Patch existing soffits for the amount of \$707
4. Provide factory cut for epoxy counters for the amount of \$483
5. Fire proof existing masonry walls for the amount of \$17,737

The Total amount for Change Order #5 is \$30,492; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Pike’s Contract should be amended to delete and add these scope items for a credit in the amount of -\$113,537; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2014 meeting and after due deliberation, it agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated June 10, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Coronas
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 254
Change Order #1 and #2 to M.A. Ferrauilo – Plumbing Contractor (Edison Technology Campus)**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to Michael A. Ferrauilo Plumbing and Heating Inc. ("M.A. Ferrauilo") for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2012-13: 194) dated June 10, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the plumbing contractor's scope of work; and

WHEREAS, following the execution of the Contract, M.A. Ferrauilo, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

1. Change Trustee in the Contract Documents to US Bank National Association for \$0
- The Total amount for Change Order #1 is \$0; and

WHEREAS, Change Order #2 includes the following items:

1. Demolish existing gas lines for the amount of \$1,444
 2. Changes to basement sprinkler piping for the amount of \$6,794
- The Total amount for Change Order #2 is \$8,238; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferrauilo's Contract should be amended to add these scope items for a total amount of \$8,238; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferraulo's Contract between the Board and Contractor dated June 10, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 255
Change Order #4 to Hewitt Young Electric – Electrical Contractor (Edison Technology Campus)**

By Board Member Coronas

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Hewitt Young Electric ("HYE") for the Edison Technology Campus project in Phase I (Resolution 2013-14: 15); and

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2013-14: 15) dated July 8, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

WHEREAS, following the execution of the Contract, HYE, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #4 includes the following item:

1. Existing underground utility repairs for the amount of \$5,464
2. Flange kits for bathroom fixtures for the amount of \$578

The Total amount for Change Order #4 is \$6,042; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that HYE's Contract should be amended to add these scope items in the amount of \$6,042; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2014 meeting and after due deliberation, it agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Hewitt Young Electrical's Contract between the Board and Contractor dated July 8, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Hilger
Approved 6-0 with Vice Chair Brown away**

**Resolution 2013-14: 256
Intent to Act as SEQRA Lead Agency for an additional project component associated with the Rochester Schools Modernization Program**

By Board Member Hilger

WHEREAS, the Rochester Schools Facilities Modernization Program Act ("School Modernization Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, under the School Modernization Act, the RJSCB has the power to authorize no more than thirteen (13) projects up to a total cost of Three Hundred Twenty-Five Million Dollars (\$325,000,000); and

WHEREAS, the RJSCB, after developing and considering (including provision for public input and public discussion) a draft comprehensive school facilities modernization plan specified under the School Modernization Act, received a list of proposed projects for public comment, regarded as the Phase 1 projects; and

WHEREAS, the RJSCB previously requested and declared lead agency status for Phase 1 projects associated with the schools facilities modernization program (Resolution 2011-12: 24 and Resolution 2011-12: 27); and

WHEREAS, the RJSCB now wishes to act as SEQRA Lead Agency for an additional project component associated with the Monroe High School Project, involving the acquisition of DOT property near the school site;

Therefor be it RESOLVED that:

1. The RJSCB hereby declares its intent to act as SEQRA Lead Agency for an additional project component associated with the Monroe High School project, included in Phase 1 of the Rochester Schools Modernization Program.

2. The Intent to Act as Lead Agency Letter and appropriate attachments shall be promptly forwarded by the SEQRA Consultant to the involved agencies listed on the Agency List and appropriate correspondence forwarded to all interested agencies.

Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away

Resolution 2013-14: 257
Pay Requisition Approval Procedure - revision

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, in September of 2011, the RJSCB established a Pay Requisition Approval Procedure (“Payment Procedure”) (Resolution 2011-12: 23) in order to detail the operative policy and instructions regarding the process by which invoices, pay applications and other pay requisitions (each, a “Pay Requisition”) submitted by all of the Board’s contractors, vendors, suppliers, and consultants (each, a “Vendor”) will be paid; and

WHEREAS, the RJSCB, at its regular monthly meeting on September 10, 2012, revised the Pay Requisition Approval Procedure (Resolution 2012-13: 37) to include the Trustee as paying agent for construction related payments; and

WHEREAS, the RJSCB now desires to revise the Payment Procedure to add certain additional internal processes which shall assist the RJSCB by clarifying duties and providing additional internal controls; and

WHEREAS, the RJSCB’s Executive Director and its General Counsel have drafted a revised Pay Requisition Approval Procedure, a copy of which is attached to this resolution; and

WHEREAS, the Executive Director reviewed the revisions to the Pay Requisition Approval Procedure with the RJSCB’s Finance Committee at its meeting on April 2, 2014;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves and adopts the revised Pay Requisition Approval Procedure in the form presented at this meeting and attached hereto; and
2. All actions taken by the RJSCB, the Chair, the Treasurer, and the Executive Director pursuant to, in accordance with and to implement the Pay Requisition Approval Procedure are hereby authorized and approved in all respects.

Second by Board Member Hilger

Approved 6-0 with Vice Chair Brown away

**Resolution 2013-14: 258
Pay Requisition Summary Acceptance (March 2014)**

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("School Modernization Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB developed a pay requisition approval procedure with input from its Counsel, the MWBE and Services Procurement Committee, members of the accounting department of Rochester City School District, and the RJSCB's independent auditing firm; and

WHEREAS, the RJSCB, at its regular monthly meeting on September 12, 2011, adopted the pay requisition approval procedure (Resolution 2011-12: 23) ("Pay Requisition Approval Procedure"); and

WHEREAS, the RJSCB, at its regular monthly meeting on September 10, 2012, revised the Pay Requisition Approval Procedure (Resolution 2012-13: 37) to include the Trustee as paying agent for construction related payments; and

WHEREAS, the RJSCB, at its regular monthly meeting on April 2, 2014, revised the Pay Requisition Approval Procedure (Resolution 2013-14: 257) to include discussion of the Pay Requisition Summary by the Finance Committee and certain verification activities by the Program Manager following each monthly Board meeting; and

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization Program ("RSMP") Phase 1a projects were deposited in the Trustee's account on June 20, 2012; and

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization Program Phase 1b projects were deposited in the Trustee's account on June 6, 2013; and

WHEREAS, Excel Aid funding associated with the Rochester Schools Modernization Program is currently in the final stages of review and certification by the Dormitory Authority of the State of New York ("DASNY"); and

WHEREAS, the intended purpose of the Excel Aid funding is to partially pay for costs associated with the design and/or construction of certain Phase 1a projects; and

WHEREAS, due to the late timing of the DASNY certification process for the Excel Aid, if necessary, the District has decided to establish and fund a special account for the RSMP ahead of the completion of the DASNY certification process to pay for certain invoices associated with the Phase 1a projects; and

WHEREAS, the District will be reimbursed for any payments made after the DASNY certification process has been completed and the Excel Aid funds are released; and

WHEREAS, in compliance with the Pay Requisition Approval Procedure, the RJSCB's Executive Director has reviewed the individual pay applications from each of the consultants and suppliers for accuracy and completeness; and

WHEREAS, the Executive Director forwarded a Pay Requisition Summary (attached to this Resolution) totaling \$7,179,986.58, including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using Excel Aid funding, to the RJSCB Board Chair with copy to the full Board on March 28, 2014; and

WHEREAS, the RJSCB Board Chair approved the Pay Requisition Summary on March 28, 2014; and

WHEREAS, the RJSCB's Executive Director reviewed the Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on April 2, 2014;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the Pay Requisition Summary for the month of March 2014 in the amount stated above and as shown in the Summary attached to this Resolution.

**Second by Board Member Thomas
Approved 6-0 with Vice Chair Brown away**

Communication

The Monthly Report is included in the Member's packets. Each project was reviewed.

- Tom Rogér reported that School 28 is on schedule regardless of late delivery of the windows (this will not impact the finishes).

- Tom Rogér reported that School 58 is tracking for November completion. Program Manager Bob DiPaola gave a brief slide show of the major steel progress, block work, waterproofing, and skylight structural work. Bob DiPaola stated that School 58 will be enclosed this month. Chair Richards stated that the decision of when to move back is a District decision and not a Program decision. Both parties will give a joint presentation at the School 58 Community Meeting 4/23/14 (follow up meeting to March Community Meeting). Bob DiPaola reported that since the March Community Meeting, he has been providing weekly progress photos and updates via the RSMP website as well as the District's website.

Tom Rogér provided two financial documents: RSMP Program Summary (Contingency Update) as well as RSMP Master Plan vs. Current Budget Comparison.

- Tom Rogér stated that dollars are reallocated as needed (example: the addition of whole building air conditioning (District request)).

- Tom Rogér pointed out on the RSMP Master Plan vs. Current Budget Comparison sheet that the \$230M approved Construction Costs has actually been increased by \$7M (hard dollars) and that the Incidental has decreased \$10M. State Aid has also increased since the Master Plan was developed. Chair Richards reiterated the impressive coordination that it takes to manage this many dollars. Tom Rogér noted that when this Master Plan was put together we only had program details and direction – no plans and changing leadership.

The Compliance Report from Baker Tilly is included in the Member's packets.

- Brian Sanvidge provided a brief introduction (while reviewing pages 1 – 8). He also stated that they have been picking up missing data that dates as far back as late 2013. Project materials were recently delivered by Landon & Rian so it is still under review and that Baker Tilly and won't be available to report on that until the end of March.

- Chair Richards summarized the process to the Board.
- Member Brown stated that monitoring is one thing but being able to intervene is another. The ICO replied that they are adding changes regarding the DP1 follow up, how the ICO is notified of any swaps and changes, and that contracts are now being required from Primes (for their Subcontractors)
- Member Thomas asked "what is an acceptable reason for a Subcontractor not working out and/or being removed from a Prime's DP1?" Tom Rogér stated nonperformance. Brian Sanvidge stated insurance, cash flow (financing). It could be any number of different issues.
- Member Brown stated concern with fraudulent reporting and game playing. Brian Sanvidge stated that Baker Tilly has setup an anonymous fraud hotline and will follow up on any this. Chair Richards stated that Member Brown and ICO should work together.

The Budget report is included in the Member's packets. This was reviewed and the Board discussed contract commitments, and Bond proceeds spending.

The MWBE and Services Procurement Committee Report for April 2, 2014 is included in the Members packets

The Finance Committee Report for April 2, 2014 is included in the Members packets.

Executive Session

Chair Richards called for a closed session pursuant to New York Public Officer's Law Section 108, to consult with the Board's general counsel on matters subject to attorney client privilege. The Chair also called for an executive session pursuant to New York Public Officer's Law Section 105, to discuss the employment history of an individual employed by the Board.

Motion by Chair Richards, Second by Member Thomas
Approved 6-0 with Vice Chair Brown away

Adjournment

Approved 6-0 with Vice Chair Brown away, at 7:41pm.